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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,667	01/24/2001	Takeo Hoda	05058/02806	4380

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EXAMINER

NGUYEN, HUY THANH

ART UNIT PAPER NUMBER

2615

DATE MAILED: 07/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Handwritten mark

Office Action Summary

Application No.

09/768,667

Applicant(s)

HODA ET AL.

Examiner

HUY T NGUYEN

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 42-55 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 42-55 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 42-49 are rejected under 35 U.S.C. 102(e) as being anticipated by Tojo et al (5,737,014).

Regarding claims Tojo discloses a camera having a recording/reproducing apparatus (Figs. 1,3) reproducing the images signal . The apparatus comprises:

a first storing means (20) for storing a plurality of images column 2, lines 61-65);

a second memory (7) for storing a plurality of images;

a reproducing means for reproducing the image signals from the first memory and the image signal from the second memory ; and

a changer means (40,38,11) for selecting a reproduction of either the image signals from the first memory or second memory in accordance with a first condition or second condition respectively (column 18, lines 17-26, column 7, lines 14-20).

Tojo further reaches that the first memory is detachable and second memory is fixed since the second memory is inserted into the connection fixed in the camera (Fig. 3).

3. Claims 42 and 44-49 are rejected under 35 U.S.C. 102(e) as being anticipated by Toka et al (5,162,833).

Regarding claims 42- and 44-49, Taka discloses a camera having a recording/reproducing apparatus (Fig. 1) for recording and reproducing the image signal. The apparatus comprises:

a first storing means (10) for storing a plurality of images (column 3, lines 53-65)column 2, lines 61-65);

a second memory (12) for storing a plurality of images;

a reproducing means (14,16) for reproducing the image signals from the first memory and the image signal from the second memory ; and

a changer means (40,38,11) for selecting a reproduction of either the image signals from the first memory or second memory in accordance with a first condition or second condition respectively (column 8, lines 38-42, column 12, lines 55-60).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 50-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tojo et al in view of Pfeiler et al (4,709,385) .

Regarding claims 50 -55, Tojo discloses a recording/reproducing apparatus (Fig. 1) reproducing the images signal . The apparatus comprises:

a first storing means (7) for storing a plurality of images column 2, lines 61-65);

a second memory (20) for storing a plurality of images;

a reproducing means for reproducing the image signals from the first memory and the image signal from the second memory ; and

a changer means (40,38,11) for selecting a reproduction of either the image signals from the first memory or second memory in accordance with a first condition or second condition respectively (column 18, lines 17-26, column 7, lines 14-20).

Tojo fails to teaches the use of a memory for storing the image signal in order to easily control the timing of the image signal is well known in the art as taught by Pfeiler (Fig. 1, image memory 12) . Therefore, it would have been obvious to one of ordinary skill in the art to modify Tojo by using a memory for storing the image signals from the first memory or second memory in order to easily control the timing of the image signal to be output to another device.

6. Claims 50-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taka (5,162,833) al in view of Pfeiler et al (4,709,385) .

Regarding claims 50-55, Taka discloses a camera having a recording/reproducing apparatus (Fig. 1) for recording and reproducing the image signal . The apparatus comprises:

- a first storing means (10) for storing a plurality of images (column 3, lines 53-65)column 2, lines 61-65);

- a second memory (12) for storing a plurality of images;

- a reproducing means (14,16) for reproducing the image signals from the first memory and the image signal from the second memory ; and

- a changer means (40,38,11) for selecting a reproduction of either the image signals from the first memory or second memory in accordance with a first condition or second condition respectively (column 8, lines 38-42, column 12, lines 55-60).

Taka fails to teaches the use a memory for receiving the images from the first memory or second memory.

Pfeiler discloses an apparatus for reproducing the image having a memory (12) for receiving the image signal to be reproduced on a display from a another memory.

It would have been obvious to one of ordinary skill in the art to modify Taka with Pfeiler by using a memory as taught by Pfeiler for receiving the image from the first or second memory in order to easily control the timing of the image to be reproduced on a display.

7. Claim 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taka (5,162,833) al in view of Sasaki et al (5,034,804).

8. Taka fails to teaches that the first memory is detachable . However, it is noted that using a memory that is detachable from a camera is well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art to modify Taka with Sasaki by using a detachable memory as taught by Sasaki as an alternative to the first memory of Taka in order to easily replace the first memory.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T NGUYEN whose telephone number is (703) 305-4775. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to 2600 TECH CENTER customer service whose telephone number is (703) 306-0377.

H.N
July 14, 2002


HUY NGUYEN
PRIMARY EXAMINER